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Aug-31-01 03:52pm From-McGuire Woods, LLP

-703 P.002/004 F-758

Docket No.: 02940086PA

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:  
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**DELTA 9 TETRAHYDROCANNABINOL (DELTA 9 THC) SOLUTION**  
**METERED DOSE INHALERS AND METHODS OF USE**

the specification of which:

(check  
one)

☒ is attached hereto  
☐ was filed on  
as Application Serial No.  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56\*

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

priority  
claimed

(Number)	(Country)	(Day/Month/Year Filed)	yes	no
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I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

09/273,766 (Application Serial No.)	March 22, 1999 (Filing Date)	Pending (Status: patented, pending, abandoned)
60/105,850 (Application Serial No.)	October 27, 1998 (Filing Date)	Provisional (Status: patented, pending, abandoned)

and any continuation applications thereof currently pending.

Power of Attorney: As a named inventor, I hereby appoint C. Lamont Whitham, Reg. No. 22,424, Marshall M. Curtis, Reg. No. 33,138 and Michael E. Whitham, Reg. No. 32,635, Kevin A. Reif, Reg. No. 36,381, Samuel W. Ntiro, Reg. No. 39,318, Andrew M. Calderon, Reg. No. 38,093, Ruth E. Tyler-Cross, Reg. No. 45,922, Philip D. Lane, Reg. No. 41,140, Shui-Chou Chou, Reg. No. 44,081, Clyde R. Christofferson, Reg. No. 34,138, Mary G. Goulet, Reg. No. 35,884, S. Luke Anderson, Reg. No. 44,507, Paul E. McGowan, Reg. No. 46,917, Mark J. Young, Reg. No. 39,436, Andrew Y. Pang, Reg. No. 40,114, and Scott A. Felder, Reg. No. 47,558, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to McGuire Woods, 1750 Tysons Boulevard, Suite 1800, Tysons Corner, McLean, Virginia 22102-4215. Telephone calls should be directed to McGuireWoods, LLP at (703) 712-5000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Aug-31-01 03:53pm From-McGuire No. LP

-703 P.003/004 F-758

Docket No.: 02940086PA

## Full Name of Sole

or First Inventor Joanne PearlInventor's Signature Joanne PearlDate 9/4/01Residence 11808 Chase Wetherly Drive #1322, Richmond, Virginia 23223 1404 GREENWAY LANE, RICHMOND, VA 23226Citizenship UKPost Office Address Same as above

## Full Name of

Second Inventor Peter R. ByrsonInventor's Signature Peter R. ByrsonDate 9/4/01Residence 8101 Lower Ralston Court, Richmond, Virginia 23229Citizenship USAPost Office Address Same as above

## Full Name of

Third Inventor Aron H. LichmanInventor's Signature Aron H. LichmanDate 9/4/01Residence 2306 Stonemill Court, Richmond, Virginia 23233Citizenship USAPost Office Address Same as above

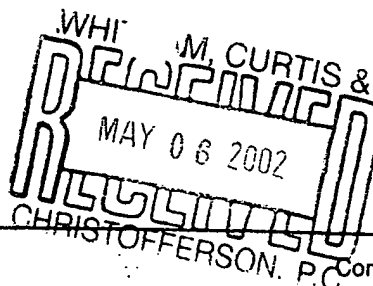
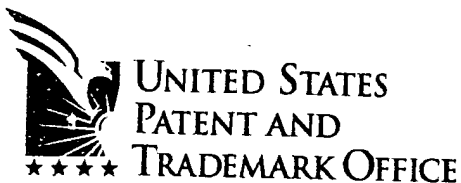
## Full Name of

Fourth Inventor Billy R. MartinInventor's Signature Billy R. MartinDate 9/4/01Residence 2406 St. Regis Drive, Richmond, Virginia 23233Citizenship USAPost Office Address Same as above

## Title 37, Code of Federal Regulations, § 1.56:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.



MAY 02, 2002

PTAS  
WHITHAM, CURTIS & CHRISTOPHER, PC.  
RUTH TYLER-CROSS  
11491 SUNET HILLS RD.  
SUITE 340  
RESTON, VA 20190

Commissioner for Trademarks  
Arlington, VA 22202-3513  
www.uspto.gov



\*102011151A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/04/2002

REEL/FRAME: 012647/0489  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PEART, JOANNE

DOC DATE: 09/04/2001

ASSIGNOR:

BYRON, PETER R.

DOC DATE: 09/04/2001

ASSIGNOR:

LICHTMAN, ARON H.

DOC DATE: 09/04/2001

ASSIGNOR:

MARTIN, BILLY R.

DOC DATE: 09/04/2001

ASSIGNEE:

VIRGINIA COMMONWEALTH UNIVERSITY  
1101 EAST MARSHALL STREET  
RICHMOND, VIRGINIA 23298

SERIAL NUMBER: 09944221

PATENT NUMBER:

FILING DATE: 09/04/2001  
ISSUE DATE:

012647/0489 PAGE 2

MAURICE CARTER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



03-12-2002



102011151

Docket No.: 02940086PA

ET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Tab settings → → →

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Joanne Peart, Peter R. Byron, Aron H. Lichtman and  
Billy R. Martin

3-402

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: September 4, 2001

2. Name and address of receiving party(ies):

Name: Virginia Commonwealth University

Internal Address: \_\_\_\_\_

Street Address: 1101 East Marshall Street

City: Richmond State: Va. ZIP: 23298

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

09/944,221 filed on  
September 4, 2001

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Ruth Tyler-Cross

Internal Address: Whitham, Curtis & Christofferson, P.C.

Street Address: 11491 Sunset Hills Road, Suite 340

03/11/2002 TDIAZ1 00000157 09944221

01 FC:581

City: Reston

40.00 DP

State: Va. ZIP: 20190

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☒ Authorized to be charged to deposit account

8. Deposit account number:

50-2041

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Ruth Tyler-Cross Reg No. 45,922

Name of Person Signing

Signature

March 4, 2002

Date

Total number of pages including cover sheet, attachments, and document:

3

## ASSIGNMENT OF INVENTION

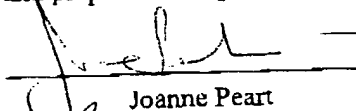
WHEREAS, WE, Joanne Peart, Peter R. Byron, Aron H. Lichtman and Billy R. Martin have invented certain new and useful improvements in DELTA 9 TETRAHYDROCANNABINOL (DELTA 9 THC) SOLUTION METERED DOSE INHALERS AND METHODS OF USE for which a patent application has been executed.

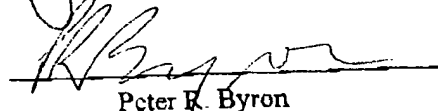
AND WHEREAS, Virginia Commonwealth University having a principal place of business at 1101 East Marshall Street, Richmond, VA 23298-0568, referred to as Assignee, is desirous of acquiring our interest in said invention and in any Letters Patent which may be granted therefor.

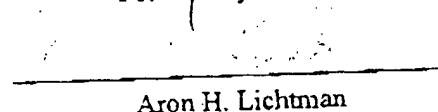
NOW THIS INDENTURE WITNESSETH, That for a valuable consideration, the receipt of which is hereby acknowledged, we hereby assign, sell and transfer unto the said assignee, the entire right, title and interest in and to inventions disclosed in said application and in and to any Letters Patent of the United States and in and to any Letters Patent or Inventor's Certificates of any and all foreign countries which may be granted therefor, and in and to any and all priority and/or Convention rights or benefits accruing or to accrue to us with respect to the filing or securing of patents in the United States and/or securing of patents or inventor's certificates in any and all countries foreign thereto.

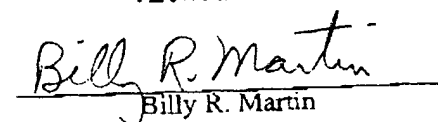
AND we hereby grant to assignee the right to apply in its own name for patents or inventor's certificates corresponding to the above invention in countries foreign to the United States.

AND we hereby further agree to sign and properly execute such necessary and lawful papers for application for foreign patents and inventor's certificates for filing applications for United States, foreign patents and inventor's certificates for subdivisions of any applications for patent or inventor's certificate and/or for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid invention and to perform such further acts as may be required to carry out the intent of this agreement as the assignee thereof shall hereafter require and prepare at assignee's expense.

  
Joanne Peart

  
Peter R. Byron

  
Aron H. Lichtman

  
Billy R. Martin

9/4/01  
Date

9/4/01  
Date

9/4/01  
Date

9/4/01  
Date



30

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

J. Peart, et al.

Serial No.:09/944,221

Group Art Unit:1619

Filed: September 4, 2001

Examiner: not yet assigned

For: DELTA 9-TETRAHYDROCANNABINOL (DELTA 9 THC) SOLUTION  
METERED DOSE INHALERS AND METHODS OF USE

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

SUBMISSION OF ASSIGNMENT

Sir:

Kindly record and return to the undersigned the attached assignment from Joanne Peart, Peter R. Byron, Aron H. Lichtman and Billy R. Martin to Virginia Commonwealth University, for the above-identified patent application. Accompanying the assignment and Assignment Recordation Form is our check in the amount of \$40.00 to cover the recording fee for this assignment. Please charge any deficiencies in fees or credit any overpayments to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,

Ruth Tyler-Cross  
Reg. No.: 45,922

703-787-9400



30743

PATENT TRADEMARK OFFICE